

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

---

JOSEPH JAMES LEFEBRE,

Plaintiff,

v.

Case No. 17-C-1312

NANCY A BERRYHILL,  
Commissioner of Social Security,

Defendant.

---

**ORDER**

---

Plaintiff has filed a complaint seeking review of the decision of the Commissioner of Social Security. Plaintiff has requested leave to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915. An indigent plaintiff may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1). Plaintiff filed the required affidavit of indigence. Upon review of that affidavit, plaintiff lists monthly income of \$1085.00 and expenses of only \$496.00. Due to the available income listed on the financial statement, this court is unable to find the plaintiff indigent on this record. Accordingly, plaintiff’s motion to proceed *in forma pauperis* is **DENIED**, but with leave to refile. Plaintiff shall either pay the filing fee or efile a new motion within 21 days.

**SO ORDERED** this 29th day of September, 2017.

s/ William C. Griesbach  
William C. Griesbach, Chief Judge  
United States District Court